



# CMHA - Police Division Case Report

## Detail



Print Date/Time: 11/08/2013 18:49  
Login ID: Ovalle30  
Case Number: 2013-00037001

CUYAHOGA METROPOLITAN HOUSING AUTHORITY  
ORI Number: OH0186800

### Narrative- Ovalle 30

On 03NOV13, while assigned to the CMHA Police Quality of Life Detail along with Sgt. Hermensky #630, Det. Vales #44, Lt. Justus #646, PO Luther #25 and PO McGinty #35, we arrested Deonte Tate for Carrying Concealed Weapons/ Gun, Violation of the State Drug Law (VSDL) and Having Weapons While Under Disability (HWWUD). He was also issued Minor Misdemeanor Citation #700760 for Open Container. CMHA Outhwaite Estate Leaseholder, Shavette Nicole Oliver was issued Notice to Violator Tickets for CMHA lease violations (8-L1) Acts that Threaten Health, Safety and Peaceful Enjoyment of Residents and (8-L2) Illegal Drug Related Activity Prohibited. The following are the facts related to the arrest.

Due to numerous complaints of drug and gang activity in and or around the Outhwaite Estate, we conducted Quality of Life Detail addressing those complaints for that estate.

At 0118 hours, we observed a black 2006 Ford Fusion, bearing Ohio plate FXK-5820, parked in the area of 4035 Case Court. Seated in the driver's seat was Shavette Nicole Oliver and Deonte Tate seated in the front passenger seat with his window down. We approached the vehicle to assure the welfare of the occupants. As I spoke to Tate about their well-being, I could smell a strong odor of an alcoholic beverage on his breath. I also observed the handle of a semi-auto handgun protruding from the right side of Tate's waistband of his pants. Tate then attempted to conceal the weapon by placing his right arm over the weapon. I alerted Sgt. Hermensky immediately and grabbed that weapon from Tate's waistband while he remained seated. The above mentioned officers arrived and assisted with the investigation. Tate and Oliver were removed from the vehicle and handcuffed. I discovered the weapon to be a 9mm Ruger, model #P95 with serial number #315-52416, and three rounds of 9mm ammunition in the weapon's magazine but no round in the chamber. Tate began to shout that Oliver is his girlfriend and that he did not want her to get in trouble for his drugs in the vehicle. Tate was asked where the drugs were in the vehicle and he advised the center counsel. PO McGinty opened the vehicle's center console and observed one bag containing three bags of heroin and one bag with multiple rocks of crack-cocaine. PO Luther observed an open 375 ml bottle of Hennessy liquor on the front passenger seat floor.

I advised Tate his Miranda Rights, which he stated he understood. I asked him why he would carry a gun and he advised for protection. When I began to ask him about particulars about the gun, he advised he wanted to exercise his Fifth Amendment. However, he began to say to Oliver "The Feds are gonna take this case. I ain't supposed to have it".

I then interviewed Oliver who advised she was the leaseholder for 4037 Case Court. She also advised that the vehicle they were in belonged to her. She was advised she would receive the above tickets.

A Computerized Criminal History inquiry was done and we discovered that Tate is convicted of felony drug, weapon, and robbery charges with the Cuyahoga County Common Pleas Court (Refer to docket numbers CR10-541323A, CR07-502264D, and CR01-408072 for further details).

Tate was advised he was under arrest for VSDL, CCW, and HWWUD. During a search incident to arrest, Sgt. Hermensky seized a copy of a CMHA resident key from Tate's right side cargo pants pocket. Oliver advised the key belonged to her and was a copy of her CMHA keys for her residence and that she gave it to Tate because he is her boyfriend. He was transported to the Cleveland Police Central Processing Unit (CPU) where he was booked and housed.

All evidence was transported to the CMHA Police Headquarters and turned over to Sgt. Hermensky #630 for processing.

\*\*\*\*CMHA Police General Detective Bureau to Conduct the Follow-Up\*\*\*\*

\*\*\*\*CPD RMS #2013- 355465\*\*\*\*



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Reporting Officer

Date

Routing: